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NOTICE OF ALLOWANCE AND FEE(S) DUE

22801 7590 01/06/2010

LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER

BLACKWELL, JAMES H

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 01/06/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,648	06/27/2003	Shafiq Ur Rahman	MS1-1542US	8327

TITLE OF INVENTION: INCORPORATING INTERACTIVE MEDIA INTO A PLAYLIST

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/06/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22801 7590 01/06/2010

LEE & HAYES, PLLC
 601 W. RIVERSIDE AVENUE
 SUITE 1400
 SPOKANE, WA 99201

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/608,648 06/27/2003 Shafiq Ur Rahman MSI-1542US 8327

TITLE OF INVENTION: INCORPORATING INTERACTIVE MEDIA INTO A PLAYLIST

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/06/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
BLACKWELL, JAMES H	2176	715-716000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			BLACKWELL, JAMES H	
			ART UNIT	PAPER NUMBER
			2176	
DATE MAILED: 01/06/2010				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1867 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1867 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/608,648

Applicant(s)

RAHMAN ET AL.

Examiner

James H. Blackwell

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment and IDS filed 12/16/2009.
2. ☒ The allowed claim(s) is/are 1,3,4,6,8-26 and 28-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/30/2009
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/DOUG HUTTON/
Supervisory Patent Examiner, Art Unit 2176

DETAILED ACTION

This Office Action is in response to an amendment filed 12/16/2009.

Claims 1, 3-4 and 6-30 are pending.

Claims 2 and 5 have been cancelled.

Claims 1, 11, 22 and 25 are independent claims.

Information Disclosure Statement

The information disclosure statement filed on 10/30/2009 does not fully comply with the requirements of 37 CFR 1.98(b) because: none of the Non-Patent Literature documents listed in the IDS are properly identified. As indicated in 37 CFR 1.98(b)(5), each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

Since the submission appears to be *bona fide*, applicant is given **ONE (1) MONTH** from the date of this notice to supply the above mentioned omissions or corrections in the information disclosure statement. **NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b).** Failure to timely comply with this notice will result in the above mentioned information disclosure statement being placed in the application file with the noncomplying information **not** being considered. See 37 CFR 1.97(i).

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a series of exchanges with Jesse Bennett on 12/30/2009.

Replace all claims with the following claim set:

1. (currently amended) A computer-implemented method comprising:

receiving a playlist at a media player stored in memory and coupled to a processor, referencing a first media segment and a second media segment, the second media segment comprising an interactive media segment and operable to play automatically without a prompt after being loaded into an interactive media presentation control, the media player being configured to only present one media segment through a user interface at a time;

presenting the first media segment via the user interface;

prerolling the second media segment, wherein prerolling the second media segment comprises:

loading at least a predetermined minimum portion of the second media segment into a buffer for the interactive media presentation control before the presenting of the first media segment is complete; and

immediately postponing presentation of the second media segment, the immediately postponing facilitates prevention of overlapping playback with the first media segment;

receiving an event from the interactive media presentation control indicating that the presenting of the first media segment is finished;

receiving a loading complete event from the interactive media presentation control indicating that the second media segment has been completely loaded; and

immediately presenting the second media segment via the user interface after receiving the event and the loading complete event, the immediately presenting facilitating a seamless transition from the first media segment to the second media segment.

2. (canceled)

3. (currently amended) The computer-implemented [[A]] method as recited in claim 1 wherein the postponing playback comprises[[:]] issuing a stop command to a control.

4. (currently amended) The computer-implemented [[A]] method as recited in claim 1 wherein the postponing playback comprises[[:]] stopping a timer associated with presenting the second media segment.

5. (canceled)

6. (currently amended) The computer-implemented [[A]] method as recited in claim 1 further comprising[[.]] in response to receiving the loading complete event, prerolling a third media segment.

7. (canceled)

8. (currently amended) The computer-implemented [[A]] method as recited in claim 1 wherein the second media segment is further operable to issue a custom event.

9. (currently amended) The computer-implemented [[A]] method as recited in claim 8 wherein the custom event references a third media segment to be played in response to the custom event.

10. (currently amended) The computer-implemented [[A]] method as recited in claim 1 further comprising receiving an end of playback event from the second media segment.

11. (currently amended) A computer-implemented method comprising:

 parsing a playlist of media segments at a host application stored in memory and coupled to a processor comprising a media player having at least one reference to an interactive media segment operable to play continuously and a media presentation control operable to play the interactive media segment, the media player configured to only present one media segment at a time;

 prerolling the interactive media segment in the media presentation control;

immediately stopping playback of the interactive media segment [[if]] when it is not a first media segment in the playlist, the immediately stopping playback for preventing overlapping playback with a preceding media segment;

playing the interactive media segment in an interface of the media player after ~~receiving an event indicating that the presenting~~ playback of the preceding media segment is complete and the prerolling is complete; and

receiving a media segment event from the media presentation control indicating that the playing of the interactive media segment has finished.

12. (currently amended) The computer-implemented [[A]] method as recited in claim 11 further comprising:

stopping playback of the interactive media segment; and

playing a subsequent media segment ~~referenced by a subsequent reference~~ in the playlist.

13. (currently amended) The computer-implemented [[A]] method as recited in claim 11 wherein the playlist comprises an Advanced Stream Redirector (ASX) file.

14. (currently amended) The computer-implemented [[A]] method as recited in claim 11 further comprising~~[[:]]~~ issuing to the host application a host-recognized event corresponding to the media segment event.

15. (currently amended) The computer-implemented [[A]] method as recited in claim 14 wherein the media segment event comprises an EndOfPlayback event and the host-recognized event comprises a WMPEndOfPlayback event.

16. (currently amended) The computer-implemented [[A]] method as recited in claim 11 wherein the media segment event comprises a custom event.

17. (currently amended) The computer-implemented [[A]] method as recited in claim 11 further comprising:

playing a first media segment prior to the interactive media segment; and

buffering the interactive media segment in memory prior to completion of the first media segment.

18. (currently amended) The computer-implemented [[A]] method as recited in claim 17 further comprising:

receiving a buffer progress indication from the control, the buffer progress indication indicating that a predetermined minimum portion of the interactive media segment has been buffered;

issuing an EndOfBuffering event to the host application.

19. (currently amended) The computer-implemented [[A]] method as recited in claim 18 wherein the predetermined minimum portion is 100% of the interactive media segment.

20. (currently amended) The computer-implemented [[A]] method as recited in claim 18 wherein the predetermined minimum portion is less than 100% of the interactive media segment.

21. (currently amended) The computer-implemented [[A]] method as recited in claim 18 further comprising:

receiving a buffer complete indicator from the control indicating that 100% of the interactive media segment has been buffered;

issuing an EndOfStreaming event to the host application.

22. (currently amended) One or more computer-readable storage media, storing processor-executable instructions that, when executed on a processor, perform acts comprising:

instantiating an events wrapper associated with a first interactive media segment created using vector-based graphics animation techniques and operable to play continuously;

initializing a control operable to playback both the first interactive media segment and a non-interactive media segment;

hosting the control in a portion of a user interface;

buffering the first interactive media segment ~~created using vector-based graphic animation techniques~~ prior to completion of playback of a previous media segment, the

previous media segment comprising a second interactive media segment or the non-interactive media segment;

immediately postponing presentation of the first interactive media segment ~~created using vector-based graphic animation techniques, the immediately postponing for preventing in order to prevent~~ overlapping playback with the previous media segment; and

receiving notification from the control when the previous media segment ~~created using vector-based graphic animation techniques~~ has completed playback.

23. (currently amended) The one or more computer-readable storage media as recited in claim 22 wherein the method further comprises:[[:]]

receiving an end of buffering event from the control when the first interactive media segment ~~created using vector-based graphic animation techniques~~ has finished buffering; and

playing the first interactive media segment ~~created using vector-based graphic animation techniques~~ after the previous media segment completes playback and the end of buffering event is received.

24. (currently amended) The one or more computer-readable storage media of claim 22 wherein the method further comprises:[[:]] playing a later media segment after receiving the notification that the first interactive media segment ~~created using vector-based graphic animation techniques~~ has completed playback.

25. (currently amended) A system comprising:

memory and a processor;

a media control module, stored in the memory and executable on the processor,
operable to[:]

parse a playlist of media segments at a host application stored in memory
and coupled to a processor comprising a media player having at least one
reference to an interactive media segment operable to play continuously and a
media presentation control operable to play the interactive media segment, the
media player configured to only present one media segment at a time;

preroll the interactive media segment in the media presentation control;
immediately stop playback of the interactive media segment when it is not
a first media segment in the playlist, the immediately stopping playback for
preventing overlapping playback with a preceding media segment;

begin playing a play the interactive media segment in an interface of the
media player after playback of the preceding automatically after buffering the
media segment is complete and the prerolling is complete; and

receive a media segment event from the media presentation control
indicating that the playing of the interactive media segment has finished; and
a host application module, stored in the memory and executable on the
processor, operable to receive a reference to the media segment, initialize the media
control module with the media segment, and cause the media control module to
immediately postpone playing of the media segment after the media segment is

~~buffered, the causing of the media control module to immediately postpone playing
for preventing overlapping playback with an already playing media segment~~

a playlist module, stored in the memory and executable on the processor, having
one or more references to media segments to be played in an order presented.

26. (currently amended) A system as recited in claim 25 further comprising an events wrapper module, stored in the memory and executable on the processor, operable to receive an end of buffering notification from the media control module and issue a corresponding end of buffering notification to the host application module.

27. (canceled)

28. (currently amended) A system as recited in claim ~~25~~ 27 wherein at least one of the referenced media segments comprises mixed media.

29. (currently amended) A system as recited in claim ~~25~~ 27 wherein the playlist module comprises an event name associated with an event media segment to be played when a referenced media segment issues an event having the event name.

Allowable Subject Matter

Claims 1, 3-4, 6, 8-26 and 28-30 are allowed.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art fails to anticipate, teach, disclose or otherwise render obvious the combinations of limitations recited in the independent claims.

Specifically, the prior art fails to teach at least a media player and a means to playback media content in a playlist which is mixed. That is, a playlist which comprises a combination of "regular" (e.g. having a definite start and end) and "interactive" (e.g. not having a definite end) media (e.g. audio, video). One example of such an "interactive" media would be a game, which only ends when interacted with by the user. Given three media segments, the first and third being "regular" audio files (e.g. he second mp3), and the second being an "interactive" file (e.g. a game), this invention can play the first media file, buffer but not play the second media file, play the second media file once the first media file has completed playing, buffer but not play the third media file, end the second media file (e.g. by a user clicking an "End" button), then playing the third media file as normal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is (571)272-4089. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James H. Blackwell/
12/30/2009

/DOUG HUTTON/
Supervisory Patent Examiner, Art Unit 2176